

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

INTELLECTUAL VENTURES I LLC and
INTELLECTUAL VENTURES II LLC,

Plaintiffs,

v.

SOUTHWEST AIRLINES CO.,

Defendant.

Civil Action No. 7:24-cv-00277-ADA

JURY TRIAL DEMANDED

AGREED SCHEDULING ORDER

Deadline	Amended Deadline	Item
	May 28, 2025	Plaintiffs serve preliminary infringement contentions of newly asserted patents in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiffs shall also identify the earliest priority date (i.e., the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.
	June 26, 2025	Answer/motion to dismiss amended complaint.
	August 25, 2025	Defendant serves Preliminary Invalidity Contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).
	September 9, 2025	Deadline to exchange claim terms for construction for newly asserted patents.
	September 16, 2025	Deadline to exchange proposed claim constructions for newly asserted patents.

Deadline	Amended Deadline	Item
	September 23, 2025	Deadline to disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
	September 30, 2025	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
May 27, 2025	October 14, 2025	Defendant files Opening Claim Construction Brief.
June 17, 2025	October 28, 2025	Plaintiffs file Responsive Claim Construction Brief.
July 1, 2025	November 12, 2025	Defendant files Reply Claim Construction Brief.
July 1, 2025	November 12, 2025	Deadline to jointly email law clerks to confirm <i>Markman</i> date and to notify if any venue or jurisdictional motions remain unripe for resolution.
July 15, 2025	November 25, 2025	Plaintiffs file Sur-Reply Claim Construction Brief.
July 18, 2025	December 1, 2025	Joint Claim Construction Statement (email law clerk's editable copy). <i>See</i> General Issues Note #9 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).
July 18, 2025	December 1, 2025	Deadline to submit optional technical tutorials.
July 29, 2025	December 8, 2025	<i>Markman</i> Hearing at 9:30 a.m. CT
July 30, 2025	December 9, 2025	Fact Discovery opens; deadline to serve Initial Disclosures.
November 7, 2025	March 20, 2026	Deadline to add parties.
November 21, 2025	April 3, 2026	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to seasonably amend if new information is identified after initial contentions.
November 18, 2025	March 14, 2026	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)

Deadline	Amended Deadline	Item
January 27, 2026	May 29, 2026	Deadline for the first of two meet and confers to discuss narrowing number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues.
February 26, 2026	June 26, 2026	Close of Fact Discovery
March 5, 2026	July 23, 2026	Opening Expert Reports
April 2, 2026	August 20, 2026	Rebuttal Expert Reports
April 30, 2026	September 9, 2026	Close of Expert Discovery
May 7, 2026	September 16, 2026	<p>Deadline for the second of two meet and confers to discuss narrowing number of claims asserted and prior art references at issue to triable limits.</p> <p>If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within <u>5 business days</u> regarding the results of the meet and confer.</p>
May 14, 2026	September 23, 2026	<p>Dispositive motion deadline and <i>Daubert</i> motion deadline.</p> <p>See General Issues Note #9 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).</p> <p>Deadline for parties desiring to consent to trial before the magistrate judge to submit Form AO 85, "Notice, Consent, And Reference of A Civil Action To A Magistrate Judge," available at https://www.uscourts.gov/forms/civil-forms/notice-consent-and-reference-civil-action-magistrate-judge.</p>
	October 7, 2026	Oppositions to dispositive and <i>Daubert</i> motions
	October 21, 2026	Replies in support of dispositive and <i>Daubert</i> motions
May 21, 2026	October 26, 2026	Serve Pretrial Disclosures (jury instructions, exhibit lists, witness lists and deposition designations).
June 2, 2026	November 5, 2026	Serve objections to pretrial disclosures/rebuttal disclosures.
June 2, 2026	November 5, 2026	Deadline to Jointly email law clerk to confirm their pretrial conference and trial dates.
June 9, 2026	November 18, 2026	Serve objections to rebuttal disclosures; file motions <i>in limine</i> .

Deadline	Amended Deadline	Item
June 16, 2026	November 20, 2026	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, deposition designations). From this date onwards, the parties are obligated to notify the Court of any changes to the asserted patents or claims. Such notification shall be filed on the docket within seven (7) days of the change and shall include a complete listing of all asserted patents and claims. If a change to the asserted patents or claims requires leave of court (for example, if a party is moving for leave to assert additional claims), notification shall not be required until the Court grants leave, at which point the notification must be filed within seven (7) days.
June 16, 2026	November 20, 2026	File oppositions to motions <i>in limine</i> .
June 23, 2026	November 27, 2026	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com.
June 23, 2026	November 27, 2026	Deadline to file replies to motions <i>in limine</i> .
June 29, 2026	December 3, 2026	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
July 1, 2026	December 7, 2026	File Joint Notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
July 6, 2026	December 17, 2026	Final Pretrial Conference (in person unless otherwise requested).
July 27, 2026	January 11, 2027	Jury Selection/Trial

SIGNED this 2nd day of July, 2025.


 ALAN D ALBRIGHT
 UNITED STATES DISTRICT JUDGE